IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

WP(C).No. 8661 of 2007(F)

AGAINST THE ORDER IN IA 2400/06 & 942/04 IN OS.155/2004 of MUNSIFF COURT, THALIPARAMBA

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PETITIONERS:

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1. ANUMOL, W/O. K.S.VINCENT,
   AGED 31 YEARS, KALAYATHOLI CHITTARICKAL AMSOM,
   NELLAMPUZHA DESOM, KASARAGOD DIST.

2. K.S.VINCENT, S/O. SUKUMARAN,
   AGED 35 YEARS, KALAYATHOLIL CHITTARICKAL AMSOM,
   NELLAMPUZHA DESOM, KASARAGOD DIST.

BY ADV. SRI.S.VASUDEVAN

RESPONDENTS:

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1. KUNNEL SREEDHARAN, S/O. KUNJERUKKAN,
   ALAKODE AMSOM, ARANGAM DESOM,
   VELLATUKOLLI P.O., NANAKKADAVU.

2. STATE OF KERALA, REPRESENTED BY
   THE CHIEF SECRETARY, GOVT. SECRETARIAT,
   THIRUVANANTHAPURAM.

BY GOVT.PLEADER SHYSON.P.MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

W.P.C.NO.8661 OF 2007

Dated 15th March 2007

J U D G M E N T

Petitioners are plaintiffs in O.S.155/04 on the file of Munsiff court, Taliparamba. Respondent is the defendant. Petitioners are challenging Ext.P2 order passed by learned Munsiff refusing to grant police assistance. Learned Munsiff granted an ex-parte order of injunction in favour of petitioners. Case of petitioners is that police assistance is to be granted to enforce the order of injunction. Learned Munsiff held that if there is violation of order of injunction, petitioners are at liberty to seek the remedy as provided under Rule 2(A) Order XXXIX of Code of Civil Procedure. I find no reason to interfere with Ext.P2 order in exercise of the extra ordinary powers of this court under Article 227 of Constitution of India.

Writ petition is dismissed.

M.SASIDHARAN NAMBIAR,

JUDGE.

uj.